

Attorney Docket No.: 056222-5009

Application No.: Unassigned

5. (Amended) A complex according to claim 1, comprising single or double stranded sequence adjacent to the promoter which increases the activity of the promoter.
8. (Amended) A complex according to claim 1, comprising a sequence which, when transcribed into RNA, facilitates isolation, identification, detection, quantification or amplification of the transcript.
9. (Amended) A complex according claim 1, wherein one of said probes comprises a destabilizing moiety.
10. (Amended) A complex according to claim 1, wherein the second and third probes form a discontinuous sequence of an RNA polymerase promoter template strand.
11. (Amended) A complex according to claim 1, wherein the second and third probes form a discontinuous sequence of an RNA polymerase promoter non-template strand.
13. (Amended) A method according to claim 12, performance of which results in the formation of a complex in accordance with claim 1.
14. (Amended) A method according to claim 12, wherein RNA produced from the functional RNA promoter is amplified prior to detection.
15. (Amended) A method according to claim 12, wherein RNA produced from the functional RNA promoter is detected directly or indirectly via a method which involves use of a molecular beacon or fluorophore.

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17. (Amended) A method of detecting in a sample the presence of a nucleic acid target sequence, comprising the steps of:

contacting a first probe and a second probe with the sample so as to form the complex of claim 16, wherein the first probe comprises in the 5' to 3' direction, a template portion transcribable by an RNA polymerase, a template strand of an RNA polymerase promoter, and a target complimentary portion which is hybridised to at least a 3' end region of the target sequence, and the second probe comprises part of the non-template strand complimentary to the template strand of the promoter present in the first probe;

and, detecting directly or indirectly RNA transcripts of the template portion of the first probe.